

Docket No.: 46906-2-DIV (1699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Subroto CHATTERJEE
Serial No.: 09/282,879



Examiner: M. Rao
Group: 1652

Filed: March 31, 1999

For: RECOMBINANT N-SMASES AND NUCLEIC ACIDS ENCODING SAME

Honorable Commissioner of Patents
and Trademarks
Washington, DC 20231

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CERTIFICATE OF MAILING

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I, Laura M. McGuire, hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office, as First Class Mail, postage prepaid, on **November 3, 2000**, in an envelope addressed to the: Assistant Commissioner for Patents, Washington, DC 20231.

A handwritten signature in black ink, appearing to read "L.M. McGuire".

Laura M. McGuire

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Applicants respond as follows to the Restriction Requirement as set forth in the Office Action dated October 3, 2000.

Applicants respectfully request reconsideration of the Restriction Requirement. In particular, it is believed the following three Groups could be examined together with undue burden: Group I ("methods of using human neutral sphingomyelinase to identify compounds that interact with it"), Group II ("an isolated human neutral sphingomyelinase") and Group V, ("sperm and seminal fluid samples comprising human neutral sphingomyelinase"). As noted in the Restriction, those Groups have

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09/282,879

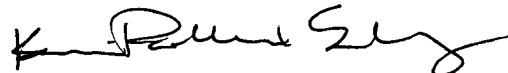
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overlapping classification; hence, the search and examination of those Groups together should not impose an undue burden.

However, to provide a complete response, Applicants hereby elect with traverse Group I as set forth in the Restriction, which presently includes claims 13-17, and described in the Restriction as "Methods of using human neutral sphingomyelinase to identify compounds that interact with it." The present election is made solely to comply with the Office Action and should not be construed as a surrender of any subject matter in the application. The right to file divisional applications on the non-elected claims is reserved.

Early consideration and allowance of the application are earnestly solicited.

Respectfully submitted,



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GP1652

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
46906-2-DIV

In Re Application Of:

Subroto CHATTERJEE

Serial No.

09/282,879

Filing Date
31 March 2000

Examiner

M. Rao

Group Art Unit

1652

Title: RECOMBINANT N-SMASES AND NUCLEIC ACIDS ENCODING SAME

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Restriction Requirement

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in the above identified application.

No additional fee is required.

A check in the amount of _____ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 04-1105 as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of _____

Credit any overpayment.

Charge any additional fee required.



Signature

Dated: 3 November 2000

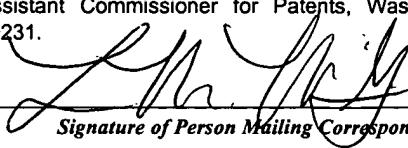
Kerri Pollard Schray (Reg. No. 47,006)

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130 Water Street

Boston, MA 02109

I certify that this document and fee is being deposited on 11/03/2000 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Laura M. McGuire

Typed or Printed Name of Person Mailing Correspondence

CC: